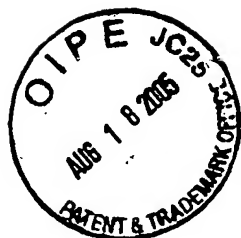


JC02 Rec'd PCT/PTC 18 AUG 2005

#5



PATENT
ATTORNEY DOCKET NO.: 056291-5200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : John HORBURY et al.

U.S. Application No.: 10/524,235

Group Art Unit: Unassigned

International Appln. Filing Date: August 7, 2003

Examiner: Unassigned

Date of National Stage Entry: February 10, 2005

For: PROCESS FOR PREPARING THE CALCIUM
SALT OF ROSUVASTATIN

MAIL STOP PCT

Commissioner for Patents

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed July 21, 2005.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.
- ☐ Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

- ☐ A statement claiming small entity status under 37 C.F.R. §1.27 is asserted for the present application.

5. Fee Calculation

			Basic Fee: PCT Application-\$300.00	
	Number Filed	Number Extra	at a Rate of	
Total Claims	-20 =		\$50.00 each=	
Independent Claims	- 3 =		\$200.00 each=	
Multiple dependent claim(s), if any			\$360.00	
Missing Requirements Surcharge Fee			\$130.00	\$130.00
SUB-TOTAL =				\$130.00
Reduction by ½ for filing by small entity				\$
Assignment Recordation Fee				\$ 40.00
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(k) and § 1.52(d))			\$130.00	+\$
Fee For Processing and retention of application (37 C.F.R. § 1.21(l) and § 1.53(d))			\$130.00	+\$
TOTAL FILING FEE =				\$170.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$215.00
<input type="checkbox"/> three months	\$ 980.00	\$490.00
<input type="checkbox"/> four months	\$1,530.00	\$765.00
<input type="checkbox"/> five months	\$2,080.00	\$1,040.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is:	Completion Fees	\$130.00
	Assignment Fees	\$ 40.00
	Total Fee Due	\$170.00

- ☒ Please charge Deposit Account No. 50-0310 in the amount of \$170.00 representing the missing parts and assignment recordation fees.

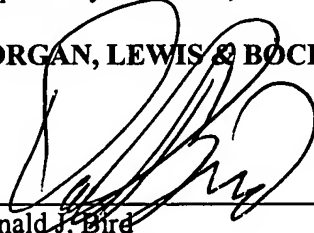
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- ☐ Form PCT/IPEA/409 (English Translation)
☐ Preliminary Amendment
☐ PCT/IB/338 English translation of the International preliminary Examination Report
☐ Information Disclosure Statement
☐ Form PTO-1449, _documents as listed
☐ Declaration of Biological Deposit
☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Donald J. Bird
Reg. No. 25,323

Date: August 18, 2005

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Lori

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,235	John Horbury	056291-5200

INTERNATIONAL APPLICATION NO.

PCT/GB03/03463

I.A. FILING DATE

PRIORITY DATE

08/07/2003

08/13/2002

09629

MORGAN LEWIS & BOCKIUS LLP

1111 PENNSYLVANIA AVENUE NW

WASHINGTON, DC 20004

Case

56291-5200

Due Date

September 21, 2005

Action

Missing Requirements

By

GD

Date

PA

CONFIRMATION NO. 8673

371 FORMALITIES LETTER



OC000000016567878

Date Mailed: 07/21/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/10/2005
- U.S. Basic National Fees filed on 02/10/2005
- Specification filed on 02/10/2005
- Claims filed on 02/10/2005
- Abstracts filed on 02/10/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

RECEIVEDA copy of this notice **MUST** be returned with the response.

JUL 25 2005

SHELBY J VIGIL

MORGAN, LEWIS & BOCKIUS LLP

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,235	PCT/GB03/03463	056291-5200

FORM PCT/DO/EO/905 (371 Formalities Notice)